

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuaki HIRASAWA et al.

DT04 Rec'd PCT/PT0 1 5 OCT 2004

Appl. No.: Unassigned

Examiner: Unassigned

Filing Date: Concurrently Herewith (based

Art Unit: Unassigned

on PCT/JP03/04398)

Title: METHOD FOR PRODUCING CANTHAXANTHIN

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

## RELEVANCE

The attached documents came to the Applicants' attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

10/511345

## TIMING/FEE

OTO4 Rec'd PCI/FTO 1 5 OCT 2004

The instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: Oldrer 15, way

HELLER EHRMAN WHITE & MCAULIFFE LLP 1666 K Street, N.W., Suite 300 Washington, DC 20006

Telephone:

(202) 912-2142

Facsimile:

(202) 912-2020

Marvin A. Motsenbocker

Attorney for Applicant Registration No. 36,614

Customer No. 26633

OT04 Rec'o PCT/PTO 1 5 OCT 2004

2PTO/SB/08A (10-01) Approved for through 10/3
U.S. Patent and Trademark Office: U.S. DEPART

1/2002. OMB 0651-0031	1
MENT OF COMMERCE	+
a valid OMB control number	

Su	bstitute	for form 1449A/PTO	)			Complete if Known	
					Application Number	Unassigned U / 5 1 1 2 4	
INFORMATION DISCLOSURE				CLOSURE	Filing Date	Concurrently Herewith	
S	TAT	EMENT B	Y Al	PPLICANT	First Named Inventor Kazuaki HIRASAWA et al.		
				•	Group Art Unit	Unassigned	
		(use as many she	ets as	necessary)	Examiner Name	Unassigned	
Sh	eet	1	of	2	Attorney Docket Number	38331-0005	

	U.S. PATENT DOCUMENTS						
Examiner Cite No.*	Cito	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages Columns Lines Where Relevant		
	No. <sup>1</sup>	Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	or Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	ļ						
			<del> </del>				

FOREIGN PATENT DOCUMENTS								
		Foreign Patent Document					Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
Examiner Initials*	Cite No.	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document			
	A01	JP	9-308481	Α	12/2/1997	Nippon Oil Co., Ltd.		
	A02	EP	1138208	A1	10/4/2001	Nippon Mitsubishi Oil Corp.		
	A03	EP	1229126	A1	8/7/2002	Nippon Mitsubishi Oil Corp.		
	A04	wo	99/06586	A1	2/11/1999	Yissum Res. Dev. Co. Hebrew Univ. Jerusalem		
	A05	EP	08725554	A2	10/21/1998	F, Hoffman-La Roche AG		
	A06	EP	0 769551	A1	4/23/1997	Kirin Beer Kabushiki Kaisha	,	
Í								

	<del>``</del>	
Examiner	Date	
Signature	Considered	
O.g. Latar C	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional) . <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO Complete if Known **Application Number** Unassigned INFORMATION DISCLOSURE Filing Date Concurrently Herewith STATEMENT BY APPLICANT Kazuaki HIRASAWA et al. First Named Inventor **Group Art Unit** Unassigned (use as many sheets as necessary) **Examiner Name** Unassigned Sheet 2 of Attorney Docket Number 38331-0005

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2
	A07	TSUBOKURA, A., et al., "Paracoccus carotinifaciens sp. nov., a new aerobic Gram-negative astaxanthin-producing bacterium", 1999, Int. J. Syst. Bacteriol., pp. 277-282, Vol. 49	
·	A08	TRINIDAD D.M. et al., "Analysis of canthaxanthin and related pigments from Gordonia jacobaea mutants", 2001, J. Agric. Food Chem., pp. 1200-1202, Vol. 49	
	A09	NELIS H.J. et al., "Reinvestigation of Brevibacterium sp. Strain KY-4313 as a source of canthaxanthin", 1989, Applied and Environmental Microbiology, 1989, pp. 2505-2510, Vol. 55, No. 10	
			-
	İ		

Examiner	Date	
Signature	Considered	